

EXCUSED.

On account of important business:

Senator Hall, for non-attendance for yesterday and indefinitely, on motion of Senator Carter.

ADJOURNMENT.

On motion of Senator Bailey of Harris, the Senate, at 6 o'clock p. m., adjourned until 10 o'clock tomorrow morning.

APPENDIX.**COMMITTEE REPORT.**

(Floor Report.)

Austin, Texas, October 12, 1914.

Hon. W. C. Morrow, President Pro Tem. of the Senate:

Sir: Your Judiciary Committee No. 1, to whom was referred

H. B. No. 4, A bill to be entitled "An Act prohibiting the operation of a corporation for the dual purpose of owning, controlling, or operating a cotton seed oil mill, and of owning, controlling or operating a public cotton gin; also prohibiting a corporation chartered for the purpose of operating a cotton seed oil mill from owning, controlling or operating, directly or indirectly, a public cotton gin in this State, providing suitable penalties, forfeitures, and procedure for enforcing this act, prohibiting any interference with or restriction of competition in the sale, handling or marketing of cotton seed; giving all corporations engaged in the business of operating cotton seed oil mills, that now own, control or operate public cotton gins, nine months from the taking effect of this act to sell or otherwise dispose of their gin properties and interests; punishing domestic and foreign corporations having no legal authority to do a ginning or cotton seed oil mill business to be in any manner engaged in or in any manner interested therein in this State, or to own stock or any interest in any corporation, foreign or domestic, or joint stock association or partnership, so engaged; providing penalties, punishments, and procedure for all corporations and persons violating this act, and declaring an emergency."

Have had same under consideration, and beg leave to report same back to the Senate with the recommendation that it do pass, and be not printed.

Morrow, Chairman; Carter, Hudspeth, Lattimore, Greer, Brelsford, Wiley.

PETITIONS AND MEMORIALS.

Various petitions and telegrams were presented to the Senate, from different parts of the State, and which related to the proposed reduction in cotton acreage legislation. Some of the petitions requested a law prohibiting the production of cotton next year, while others desired a half reduction. These petitions came from the following places:

By Senator Henderson:

Petition to Governor Colquitt from Atlanta, Texas.

By Senator Carter:

Petitions and telegrams from Henderson, Marshall and Longview.

By Senator McGregor:

Petition from Travis county.

By Senator Brelsford:

Petitions addressed to Governor Colquitt from Atlanta, Columbus, Crockett, Arlington, Sinton and Mineola.

By the President of the Senate:

Telegrams from Timpson and Longview.

EIGHTEENTH DAY.

Senate Chamber,

Austin, Texas,

Wednesday, October 14, 1914.

The Senate met pursuant to adjournment, and was called to order by President Pro Tem. Morrow.

Roll call, a quorum being present, the following Senators answering to their names:

Astin.	Henderson.
Bailey of DeWitt.	Hudspeth.
Bailey of Harris.	Johnson.
Brelsford.	Lattimore.
Carter.	McGregor.
Conner.	McNealus.
Cowell.	Morrow.
Gibson.	Taylor.
Greer.	Terrell.
Harley.	Townsend.

Warren.
Watson.

Wiley.
Willacy.

Absent—Excused.

Clark.
Collins.
Darwin.
Hall.

Nugent.
Real.
Westbrook.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Terrell.

SIMPLE RESOLUTION.

(By Unanimous Consent.)

By Senator Bailey of Harris:

Whereas, The sturdy and patriotic citizen and soldier, the Hon. E. I. Kellie, Doorkeeper of the Senate, is one of the few remaining heroes of the trying days of '61 to '65; and

Whereas, A reunion of the soldiers of the Confederacy will be held in Jasper, the home of our good friend, said Hon. E. I. Kellie, whose comrades in recognition of his worth as a citizen and soldier have honored him with election to the position of commander of his camp; and

Whereas, He desires to attend said reunion; therefore, be it

Resolved, That the Senate do now grant him leave of absence from attendance upon the Senate for a period of five days for the purpose of enabling him to attend said reunion.

The resolution was read and unanimously adopted.

SIMPLE RESOLUTION.

(By Unanimous Consent.)

By Senator Hudspeth:

Whereas, There is not adequate arrangement in the cloak room for Senators to safe-keep wearing apparel and other belongings; and

Whereas, By reason of such inadequate provision Senators have had overcoats and other valuables stolen from the cloak room, in some cases causing them to sustain considerable losses; therefore, be it

Resolved by the Senate, That the Contingent Expense Committee be directed to invite bids from proper persons for the construction of individual lockers for the Senators, said construc-

tion to be made by the time of the convening of the Thirty-fourth Legislature, and report back to this Senate at the earliest time possible the probable cost of such work. Be it further

Resolved, That the Secretary of the Senate be directed to aid the committee in securing bids for said work.

HUDSPETH,
CARTER.

The resolution was read and adopted.

BILLS AND RESOLUTIONS.

(By Unanimous Consent.)

By Senator Lattimore:

S. B. No. 9, A bill to be entitled "An Act to compel a reduction of the acreage of land planted in cotton in Texas during the year 1915 to the end that a price may be obtained for cotton commensurate with its value and the cost of production and the general prosperity of the people be conserved; fixing the proportion of land which may be planted in cotton during said year, providing ways for ascertaining the acreage planted; fixing a tax for excess over said amount; fixing penalties and declaring an emergency."

Read first time and referred to Judiciary Committee No. 2.

By Senator Astin:

S. B. No. 10, A bill to be entitled "An Act to provide for a reduction in the cotton acreage in Texas for the year 1915, to the end that a price commensurate with the value of the product may be obtained for the crop of 1915; authorizing the Commissioner of Agriculture to perform certain duties in connection therewith; and making an appropriation for carrying out the purposes of the act, and declaring an emergency."

Read first time and referred to Committee on Agricultural Affairs.

By Senator Henderson:

S. B. No. 11, A bill to be entitled "An Act to reduce cotton acreage, and to provide a tax for excess acreage, and prescribing a penalty for failure of planters to make reports."

Read first time and referred to Judiciary Committee No. 1.

SIMPLE RESOLUTION.

(By Unanimous Consent.)

By Senator Wiley:

Whereas, The supply of cotton is far

in excess of the demands for consumption which, together with the unsettled conditions prevailing in foreign markets, and the present low price of cotton, is a great embarrassment to the producers of cotton, resulting likewise in disappointment to producer, merchant and banker; and,

Whereas, We believe that the diversification of crops and the rule of first producing, in so far as may be possible, all foods and supplies necessary for the individual family, will equalize values, distribute products on an equitable basis and result in great material benefit to the citizenship of our State; and,

Whereas, We believe that this result should be brought about by the concerted action of all people concerned, based upon that broad principle of the brotherhood of man; therefore, be it

Resolved by the Senate of the State of Texas, That we are opposed to the enactment of any law that will hinder or deter the great farming interests of this State from the exercise of the right to manage and conduct their own affairs, and especially do we object to the enactment of a law by the terms of which the producers of that great staple (cotton) shall be restricted to a limited acreage or to no acreage at all; and be it further

Resolved, That we pledge our best efforts to bring about a sentiment of diversification of crops, not that we are to appear as dictators of the policy of the farming interests of this State, but that we shall labor co-jointly with the farmers in spreading this great doctrine of diversification; be it further

Resolved, That for the purposes herein stated, we offer to the people of our respective districts and to the State at large our services in so far as the public good may require.

(Senator Greer in the chair.)

MESSAGE FROM THE HOUSE.

Hall of the House of Representatives,
Austin, Texas, October 14, 1914.

Hon. W. C. Morrow, President Pro Tem.
of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. C. R. No. 2, Endorsing the action of Secretary of Treasury McAdoo.

H. B. No. 5, A bill to be entitled
"An Act to prohibit any person, firm or

association of persons, operating a cotton seed oil mill in this State or any member, agent or employe of either from owning, operating or holding any character of interest in a public cotton gin in this State; also to prohibit any officer, director, agent, or employe of any corporation operating a cotton seed oil mill in this State from owning, operating or holding any character of interest in a public cotton gin in this State; providing the time the act shall become effective, and fixing penalties."

Respectfully,

W. R. LONG,

Chief Clerk, House of Representatives.

RECESS.

On motion of Senator Terrell, the Senate, at 12:25 o'clock p. m., recessed until 2:30 o'clock today.

AFTER RECESS.

(Afternoon Session.)

The Senate was called to order by President Pro Tem. Morrow.

SIMPLE RESOLUTION.

(By Unanimous Consent.)

By Senator Henderson:

Resolved by the Senate of the State of Texas, That we hereby endorse the amendment as proposed by the Southern Senators and offered as an amendment to war tax bill wherein it is proposed that the national government issue \$250,000,000 4 per cent three-year bonds, and that said bonds shall be used to purchase five million bales of this year's cotton at 10 cents per pound, and providing that said cotton shall not be sold by the government until 1916 and 1917, and that we hereby request the Congress of the United States to pass said amendment and that a copy of this resolution be wired to our Senators—Chas. A. Culberson and Morris Sheppard.

HENDERSON,
GIBSON.

The resolution was read and Senator Wiley moved that it be referred to the Committee on Commerce and Manufactures.

Senator Henderson moved, as a sub-

stitute, that the resolution be adopted, which motion prevailed.

SIMPLE RESOLUTION.

(By Unanimous Consent.)

By Senator Warren:

I move that ex-Lieutenant Governor Jester of Navarro county be invited to address the Senate, and that he be accorded the privileges of the floor.

The resolution was read and adopted.

Being escorted to the President's stand by Senators Warren and Taylor, Mr. Jester addressed the Senate briefly.

SIMPLE RESOLUTION.

(Pending Business.)

Action recurred on the pending simple resolution by Senator Wiley, the question being on the motion to adopt same.

Pending discussion, Senator Bailey of DeWitt moved to lay the resolution on the table subject to call.

Senator Willacy moved to table the resolution, and moved the previous question on that motion.

The motion for the previous question being duly seconded was so ordered.

The motion to table the resolution was adopted by the following vote:

Yeas—14.

Bailey of Harris.	McNealus.
Brelsford.	Morrow.
Conner.	Taylor.
Gibson.	Terrell.
Greer.	Warren.
Henderson.	Watson.
Hudspeth.	Willacy.

Nays—3.

Astin.	Wiley.
Townsend.	

Present—Not Voting.

Bailey of DeWitt.	Harley.
Carter.	Johnson.
Cowell.	

Absent.

Lattimore.	McGregor.
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Absent—Excused.

Clark.	Nugent.
Collins.	Real.
Darwin.	Westbrook.
Hall.	

HOUSE BILL NO. 4.

At the conclusion of the consideration of the above matter, the question arose as to what was the pending business at this time, the Chair announcing that today being Wednesday, the day set apart by Subdivision 3 of the Senate Rules, just reached under the "Order of Business," and provided for in the Joint Rules, being designated for the consideration of House bills. Senate bill No. 7 being a special order by former resolution.

Pending discussion, the Chair (President Pro Tem. Morrow) held that H. R. No. 4 was in order under the Rules.

ADJOURNMENT.

Senator Watson, at 4:50 o'clock p. m., moved to adjourn until 10 o'clock tomorrow morning, which motion was adopted by the following vote:

Yeas—12.

Astin.	Henderson.
Bailey of DeWitt.	Hudspeth.
Bailey of Harris.	McNealus.
Brelsford.	Warren.
Cowell.	Watson.
Gibson.	Willacy.

Nays—8.

Carter.	Taylor.
Greer.	Terrell.
Harley.	Townsend.
Johnson.	Wiley.

Present—Not Voting.

Morrow.

Absent.

Conner.	McGregor.
Lattimore.	

Absent—Excused.

Clark.	Nugent.
Collins.	Real.
Darwin.	Westbrook.
Hall.	

APPENDIX.

PETITIONS AND MEMORIALS.

By Senator Taylor:

Petition from Farmers' Union of Coryell county, favoring cotton oil divorcement bill.

By Senator Morrow:

Petition from Waxahachie, numerous signed, favoring cotton acreage resolution; also a like petition from Pittsburg, Camp county.

By Senator Greer:

Telegrams from Tyler and Wills Point favoring cotton acreage reduction.

By Senator Carter:

Petition from Kilgore favoring reduction in cotton acreage.

By Senator Warren:

Petition from Rice favoring cotton reduction.

By Senator McNealus:

Letter from Sachse favoring the cotton acreage legislation and asking the Legislature to take into consideration the size of families, as an equalization basis, in drawing the bill.

COTTON ACREAGE BILLS IN THE SENATE.

The following bills, introduced and pending in the Senate, are here printed by order of the Senate:

By Senators Brelsford and Westbrook:

S. B. No. 7, A bill to be entitled "An Act to bring about a reduction in the cotton acreage in this State for the year 1915, and to maintain the financial and industrial integrity of the State, and prevent a general demoralization of the cotton market of the State; to curtail the production of cotton in this State for the year 1915 so that a price commensurate with the cost of production may be obtained for the present crop, and to prevent a financial demoralization of our industrial system in this State; prescribing certain duties for the Attorney General and district and county attorneys; and prescribing the jurisdiction of penalty and forfeiture suits hereunder, creating offenses for a violation of the provisions hereof, prescribing penalties therefor, and declaring an emergency."

Whereas, The production of cotton has been large during the year 1914, and there will be a surplus of several million bales owing to the closing of several of the export markets by way; and

Whereas, This has caused a depression in price below the cost of production and is about to bankrupt the busi-

ness interests of the State, practically all of which depend upon cotton as a basis; and

Whereas, Foodstuffs and food are rising to a high price owing to the same war, and the people of the State will be unable to buy sufficient to maintain themselves with the low price of cotton, and poverty and want will be greatly increased if this condition continues; and

Whereas, The planting of another large crop of cotton in 1915 will tend to pile another surplus on the surplus of 1914 and will effectually destroy the value of the 1914 crop and bring disaster and want upon the people of this State; and

Whereas, It is highly important to provide for foodstuffs to be raised in the State of Texas sufficient to support her people and to greatly reduce the area planted in cotton in 1915, so that foodstuffs may be raised and the price of cotton increased by making the demand approach the supply.

Now, therefore, in the exercise of the police power of the State, for the general welfare of the body politic, and to preserve the State from a spread of want and mendicancy and save the business interests based on our staple production from disaster,

Be it enacted by the Legislature of the State of Texas:

Section 1. That from and after January 1, A. D. 1915, the maximum quantity of land which it shall be lawful for any family or household, or the immediate servants or employees of such family or household for them, to plant, cultivate or grow in cotton within this State, or for any person not a constituent member of any family or household, or for his servants or employees for him, or for any corporation or its servants or employees for it, to plant, cultivate or grow in cotton within this State for one year from January 1, A. D. 1915, shall be twenty acres; provided, this limitation shall apply only to the family, household or immediate servants thereof, or to a person not a constituent member of a family or household and his servants and employees, or to any corporations, its servants and employees, and not to the quantity of land which may be cultivated on any one farm or plantation.

Sec. 2. Any person who for himself or for another, whether such person shall be a natural person or a corporation, shall violate the terms of this section shall be deemed guilty of a felony

and upon conviction shall be confined in the penitentiary for a term of not less than one year nor more than five years, or by fine of not exceeding five thousand dollars, or by both such fine and imprisonment; provided, further, that the Suspended Sentence Act of this State shall not apply to those convicted under this act, and that the sentence herein required to be imposed upon conviction shall not in any event be suspended.

Sec. 3. Any corporation violating the provisions of this act shall forfeit its charter and franchise, or permit, as the case may be, and its corporate existence shall cease and terminate; and, in addition thereto, any such corporation as may violate the provisions hereof shall forfeit and pay to the State of Texas any sum of money not exceeding five thousand dollars as penalties, which may be recovered in the name of the State of Texas in any county where the offense is committed or where such corporation has an agent or office, or in Travis county; and it shall be the duty of the Attorney General on his own motion, and without leave of any court or judge, or the duty of any district or county attorney, under the direction of the Attorney General, to institute quo warranto proceedings and suit for penalties hereunder in any county having jurisdiction hereof, as above defined, for the forfeiture of the charter, franchise or permit of any offending corporation and for the penalties herein provided against it.

Sec. 4. The importance of this measure and that its enactment should become widely known throughout the State and the fact that this measure is being enacted at a Special Session of the Legislature, creates an emergency and an imperative public necessity that the constitutional rule which requires that bills shall be read on three several days in each House be suspended, and said rule is therefore suspended, and that this act take effect and be in force from and after its passage, and it is so enacted.

The following is the proposed amendment or substitute for S. B. No. 7:

Strike out all after the enacting clause and insert the following:

Section 1. It shall be unlawful for any person, association of persons, or corporation to plant or cultivate, either for himself, themselves, or itself, or to cause or permit any other person, persons, or corporation to plant or cultivate for him, them, or it, on any land within this State, owned or controlled by

him, them, or it, any cotton in excess, in acreage, of one-third of the cultivated land owned by him, them, or it, during the year 1915. It shall also be unlawful for person, association of persons, or corporation to plant or cultivate, for any person, association of persons, or corporation, either as owner or lessee or employe, any acreage in cotton in excess of one-third of the entire acreage cultivated during said year 1915 by such person, association of persons, or corporation, for said year; provided, however, in estimating the acreage planted by such person, association of persons, or corporation, the acreage of orchards, unplanted pasturage and meadow lands shall be excluded.

Sec. 2. Any person who, for himself or for another, whether such other person be a natural person or a corporation, who shall violate the terms of Section 1 of this act shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in an amount equal to ten dollars per acre for each acre planted in cotton during said year in excess of the amount authorized to be planted under the terms of this act.

Sec. 3. Any corporation violating the provisions of this act shall forfeit its charter, franchise or permit, as the case may be, and its corporate existence shall cease and determine; and, in addition thereto, any such corporation violating the provisions hereof shall forfeit and pay to the State of Texas any sum of money not exceeding five thousand dollars as penalties, which may be recovered in the name of the State of Texas in any county where the offense is committed or where such corporation has an agent or office, or in Travis county; and it shall be the duty of the Attorney General on his own motion, and without leave of any court or judge, or the duty of any district or county attorney, under the direction of the Attorney General, to institute quo warranto proceedings and suit for penalties hereunder in any county having jurisdiction hereof, as above defined, for the forfeiture of the charter, franchise or permit of any offending corporation and for the penalties herein provided against it.

Sec. 4. This act, being considered an emergency measure, it shall expire by limitation on December 31, 1915.

Sec. 5. Should any provision of this act be declared unconstitutional, such unconstitutional part shall not affect the other provisions of this act, which shall remain in full force and effect.

Sec. 6. The importance of this measure and that its enactment should become widely known throughout the State, and the fact that this measure is being enacted at a special session of the Legislature, creates an emergency and an imperative public necessity that the constitutional rule which requires that bills shall be read on three several days in each House be suspended, and said rule is therefore suspended, and that this act take effect and be in force from and after its passage, and it is so enacted.

WARREN.
WILLACY.
BRELSFORD.
CONNER.

S. B. No. 11. By Senator Henderson.

A BILL

To be Entitled

An Act to reduce cotton acreage, and to provide a tax for excess acreage, and prescribing a penalty for failure of planters to make reports.

Be it enacted by the Legislature of the State of Texas:

Section 1. From and after the passage of this act, it shall be unlawful for the owner of land who cultivates it by his own labor or by the labor of his family or by labor employed under any sort of a contract, to plant more than forty-five per cent of his entire crop in cotton in any one year.

Sec. 2. From and after the passage of this act, it shall be unlawful for any one who cultivates the land of another within this State, under any sort of a contract whether written or verbal, to plant more than sixty per cent of his entire acreage in cotton.

Sec. 3. By the first day of August of each year, every person who plants cotton within this State shall report to the tax assessor of the county in which such cultivated land is located, under oath, the total acreage planted in all crops and the number of those acres planted to cotton. Should said report show an owner of land had in cultivation more than forty-five per cent of his entire acreage in cotton, the tax assessor should enter the excess acreage on the assessed rendition against such owner as he had planted to cotton in excess of aforesaid forty-five per cent of the entire acreage, and, likewise the acreage in excess of sixty per cent of

his entire crop planted by one other than the owner of the land, should be entered on the assessed rendition of such non-owner of land. The acreages so shown by the assessor shall be transmitted to the tax collector of the said county, and the said tax collector shall enter upon his tax accounts against each of the persons reported to him by the tax assessor, the sum of \$10 per acre on each of the acres so reported to him by the tax assessor, and the said amount placed on the tax account of the owner of the land. All excess acreage transmitted to the tax collector by the tax assessor against a non-owner of land, shall be entered one-half on the tax account of the non-owner of the land and the other one-half shall be entered on the tax account of the owner of the land, and said amounts so assessed and entered on the taxes on the owner and the non-owner of the land shall be paid as, and at the same time, other taxes are paid, and shall be a lien on other property of the debtor as is now provided for taxes as liens upon the debtors property.

Sec. 4. Any owner or any non-owner who fails or refuses to make a report under oath, herein required, on or before the first day of August of each year as required herein shall be deemed guilty of a misdemeanor and upon conviction shall be fined in any sum not less than one hundred dollars nor more than two thousand dollars.

S. B. No. 9. By Senator Lattimore.

A BILL

To Be Entitled

An Act to compel a reduction of the acreage of land planted in cotton in Texas during the year 1916 to the end that a price may be obtained for cotton commensurate with its value and the cost of production, and the general prosperity of the people be conserved; fixing the proportion of land which may be planted in cotton during said year, providing ways for ascertaining the acreage planted; fixing a penalty for excess over said amount, fixing penalties and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. No person, firm or corporation, owning, leasing or controlling any farm lands in this State now in

cultivation or which may be put in cultivation during the year 1915, shall plant, allow or permit to be planted in cotton an amount of said lands during 1915 more than such number of acres as shall equal fifty per cent of the quantity of such land which was planted in cotton during the year 1914, except as hereinafter provided.

Sec. 2. Between June 1st and August 1st, 1915, every person in this State who owns farm lands, any part of which is planted in cotton during 1915, shall file with the county clerk of the county in which such lands may be situated, a statement in writing and under oath, containing substantially the following, to wit.

First. The exact amount if known, and if not known then as nearly as possible the amount of such person's lands which were planted in cotton during the year 1914.

Second. The substantial amount of such lands planted in cotton during 1914 by (1) the owner and his family, (2) by hired hands giving their names (3) by tenants, giving the names of and amount planted by each tenant.

Third. The substantial amount of such lands planted in cotton in 1915 by (1) the owner and his family (2) by hired hands, giving their names (3) by tenants, giving the name of, and amount planted by each tenant, provided if such farm lands be owned by non-residents, or by corporations. Such statements or affidavits shall be made by the agent in charge or the resident manager or tenant of such lands or corporation.

Sec. 3. A failure on the part of any corporation renting or controlling or planting any lands in cotton, to make or have made and filed, such affidavit, shall be sufficient cause for the forfeiture of its charter at the suit of the State.

Sec. 4. Every person herein required so to do, who fails or refuses to make and file such statement under oath or affidavit, or any person, the owner, lessee or tenant of any lands in this State who plants or cultivates any cotton in this State during 1915 upon land of and concerning which no such statement or affidavit has been filed, shall be deemed guilty of a misdemeanor and upon conviction shall be fined in any sum not less than ten nor more than one hundred dollars, provided; it shall be a defense to any tenant prosecuted hereunder to show that he rents such land from a resident

landlord or from a resident agent or manager of a non-resident landlord.

Sec. 5. Any person herein required to make such written statement or affidavit who shall wilfully make any false statement therein, shall be deemed guilty of false swearing and upon conviction thereof shall be fined in any sum not less than one hundred dollars and not more than five hundred dollars.

Sec. 6. It shall be the duty of the commissioners courts of the several counties to provide the county clerks of their counties with blank forms for such affidavits; and for filling out, taking the oath, and filing each such affidavit, the county clerk shall be allowed the sum of 25 cents.

Sec. 7. As soon after August 1, 1915, as practicable, said county clerks shall place such affidavits in alphabetical order in some file case where same may be securely kept, and same shall not be allowed to be out of the custody of said clerks until after the year 1916, but it shall be the duty of such clerk to submit same for inspection to any grand jury or court when called for by the foreman of such grand jury or the judge of said court.

Sec. 8. It shall be the duty of the district judges of the several counties to instruct their grand juries to specially investigate and ascertain if the said affidavits have been made and filed and if any acreage of cotton has been planted other than as stated, and if any excess acreage be found, such information shall be for the use and benefit of the prosecuting attorneys and the tax collector of said county.

Sec. 9. A penalty of ten dollars per acre, for each acre of land so planted in cotton in 1915 in excess of fifty per cent of the quantity of said land of such owners, planted in cotton in 1914 is hereby declared, and the amount of said penalty is hereby declared to be a preference lien upon any property, not exempt from forced sale of such person so violating this law.

It shall be the duty of the county or district attorney of the several counties to institute suits for such penalties in the district courts of the several counties and for his services such county attorney shall receive a fee of ten dollars for each excess acre as named above, same to be taxed as costs.

Sec. 10. The near approach of the end of this session and the importance of restricting the acreage of cotton in this State for 1915 and that such law should

be on the statute books of this State creates an emergency and an imperative public necessity requiring that the constitutional rule requiring bills to be read in each House three several times be suspended and that this act take effect from and after its passage, and it is so enacted.

S. B. No. 10. By Senator Astin.

A BILL

To Be Entitled

An Act to induce a reduction in the cotton acreage in Texas for the year 1915, to the end that a price commensurate with the value of the product may be obtained for the crop of 1915; authorizing the Commissioner of Agriculture to perform certain duties in connection therewith; and making an appropriation for carrying out the purposes of the act, and declaring an emergency.

Whereas, The State of Texas has produced a large cotton crop during the year 1914, and the interruption in foreign demand for cotton for exportation has caused a decline in the market price of that crop; and

Whereas, This interruption in the demand for the cotton crop of 1914 may continue into 1915, with the resulting effect of congesting the markets of the world with raw cotton in excess of normal consumption, and a consequent further reduction in the market price of cotton produced in this State; and

Whereas, It is a matter of great and universal importance to the people of Texas that the cotton production in the year 1915 should not be so large as to deprive the farmers of the State of a considerable part of the intrinsic value of this product, through the reduction of the market price below the cost of production; therefore,

Be it enacted by the Legislature of the State of Texas:

Section 1. Within thirty (30) days after this act becomes effective it shall be the duty of the Commissioner of Agriculture of this State to call a Conference of Cotton Acreage Reduction, and to request the county judge of each county in Texas producing one thousand bales of cotton or more, as disclosed by

the last official report of production, to appoint one delegate from such county to the said conference.

The concurrence of delegates representing not less than three-fourths of the cotton production of this State as to the percentage of reduction in acreage to be planted in 1915 in the different cotton-producing counties shall be effective for the purposes of this act.

Sec. 3. When the said conference, by appropriate resolution, shall have declared the acreage reduction agreed upon, the Commissioner of Agriculture shall at once undertake the organization of the cotton-producing counties by county commissioners precincts, taking a written pledge from each cotton grower, which pledge shall state the acreage planted by said grower in 1914, and the acreage to be planted in 1915, and all such pledges shall be placed in the hands of the county commissioners of the precincts in which such cotton growers making the pledge reside. The Commissioner of Agriculture shall, if their co-operation is available, employ the aid of the United States Department of Agriculture County Demonstration Agents in the organization of the counties and securing the pledges herein authorized.

Sec. 3. The sum of ten thousand (\$10,000) dollars, or so much thereof as may be found necessary, is hereby appropriated out of any funds in the State Treasury, not otherwise appropriated, to defray the actual expenses of such organization of the cotton producing counties of the State in the interest of cotton acreage reduction; and the Commissioner of Agriculture shall draw his warrant for such expenditures as for other expenses of his department.

Sec. 4. This act being considered an emergency measure, it shall expire by limitation on December 31, 1915.

Sec. 5. The importance of determining at the earliest practicable date the acreage to be planted in cotton for 1915, to the end that farmers may arrange for the planting of other crops with as little delay as may be necessary, constitutes an emergency requiring that the constitutional rule providing that all bills be read on three several days in each House shall be suspended, and the same is hereby suspended, and this act shall become effective from and after its passage, and it is so enacted.

**In Memory
of
Hon. Reuben R. Gaines**

By Senator Hudspeth:

Whereas, It has just been made known to this Senate that the Hon. Reuben R. Gaines, a distinguished patriot, statesman and jurist, has been called from the affairs of man to his celestial home beyond the skies;

Whereas, He emblazoned the pages of Texas history and jurisprudence with the splendid qualities that only a patriot and jurist can possess;

Whereas, The entire State suffers an irreparable loss at the demise of this great and good man; therefore, be it

Resolved, That the Senate of Texas, along with the entire citizenship of this State, do now mourn on account of this bereavement that has now fallen upon us; therefore, be it further

Resolved, That a page be set apart in the Journal, dedicated to the memory of Judge Gaines, and that a copy of this resolution be furnished the family of the deceased by the Secretary of this Senate.

Signed—Hudspeth, Morrow, Astin, Bailey of DeWitt, Bailey of Harris, Brelsford, Carter, Clark, Collins, Conner, Cowell, Darwin, Gibson, Greer, Hall, Harley, Henderson Johnson, Lattimore, McGregor, McNealus, Nugent, Real, Taylor, Terrell, Townsend, Warren, Watson, Westbrook, Wiley, Willacy.

The resolution was read and unanimously adopted.

NINETEENTH DAY.

Senate Chamber,
Austin, Texas,

Thursday, October 15, 1914.

The Senate met pursuant to adjournment, and was called to order by Senator Hudspeth, who had the following read to the Senate:

To the Senate of Texas:

Rule 5 of the Senate Rules provides that the President Pro Tempore of the Senate shall have the right, during his temporary absence, to name a member of the Senate to perform the duties of the Chair until the President Pro Tempore shall return. It also provides that at any time while such substitute is presiding the Senate may elect a member of the Senate in place of said substitute to perform the duties of the Chair during the absence of the President Pro Tempore.

Circumstances render it necessary for the President Pro Tempore to be absent from the Senate on tomorrow the 15th of October, 1914, and possibly for several days thereafter, and pursuant to said rule of the Senate, which is Section 1700 of the Manual, page 755, I hereby name the Hon. Claude Hudspeth, a member of this Senate, to perform the duties of the Chair during my absence and until such time as I return, or such time as the Senate may exercise its right to elect some member in place of said Senator Hudspeth to perform said duties.

Witness my hand, this October 14, 1914.

W. C. MORROW,

President Pro Tempore of the Senate.

The above was read, and on motion of Senator Gibson and Taylor the Senate acceded to the appointment named therein.

Roll call, a quorum being present, the following Senators answering to their names:

Astin.	Johnson.
Bailey of DeWitt.	Lattimore.
Bailey of Harris.	McGregor.
Brelsford.	McNealus.
Carter.	Real.
Conner.	Taylor.
Cowell.	Terrell.
Gibson.	Townsend.
Greer.	Warren.
Harley.	Watson.
Henderson.	Willacy.
Hudspeth.	

Absent.

Morrow.

Absent—Excused.

Clark.
Collins.
Darwin.
Hall.

Nugent.
Westbrook.
Wiley.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Taylor.

EXCUSED.

On account of important business:

Senator Westbrook, for non-attendance all of this week and indefinitely, on motion of Senator Johnson.

Senator Real, for non-attendance for all this week, on motion of Senator Cowell.

Senator Wiley, for today and indefinitely, on motion of Senator Carter.

SIMPLE RESOLUTION.

(By Unanimous Consent.)

By Senator Watson:

Whereas, Our distinguished colleague, Hon. J. C. McNealus, was born on October 15, 1850, this being his 64th anniversary; and

Whereas, His faithful, loyal and conscientious devotion to duty has greatly endeared him to us; therefore, be it

Resolved, That when the Senate adjourns on this date it shall be in his honor. Be it further

Resolved, That we extend to him our hearty good wishes and hopes for many returns of this anniversary.

Signed—Watson, Carter, Willacy, Astin, Bailey of DeWitt, Bailey of Harris, Brelsford, Conner, Cowell, Gibson, Greer, Hall, Harley, Henderson, Hudspeth, Johnson, Lattimore, McGregor, Morrow, Real, Taylor, Terrell, Townsend, Warren, Wiley.

The resolution was read and adopted by a rising vote.

Senator McNealus was called to the President's stand for a speech and addressed the Senate, thanking them for their friendship, etc.

BILLS AND RESOLUTIONS.

By Senators Terrell and Hudspeth:

S. B. No. 12, A bill to be entitled